

MEDICAL BOARD OF CALIFORNIA

INITIAL STATEMENT OF REASONS

Hearing Date: **February 1, 2008**

Subject Matter of Proposed Regulations:

1) Continuing Education Required

Section Affected: 1) Amend Section 1336 in Article 11 of Chapt. 1, Div.13

Specific Purpose of each adoption, amendment, or repeal:

This rulemaking 1) directs licensees to complete at least 50 hours of approved CME during the renewal cycle, the two-year period immediately preceding the expiration of the license, (which is equivalent to the current requirement of 25 hours per year for a total of 100 every four years) in order to renew the license, and 2) changes the calculation of CME hours from calendar year to renewal cycle.

Factual Basis/Rationale:

1) The Division of Licensing (Division) of the Medical Board of California has performed three audits of continuing medical education (CME) over the past few years. These audits have uncovered two issues causing confusion related to CME. One is regarding Title 16, California Code of Regulation (CCR) section 1336(d) that requires the licensee to complete 100 hours of CME during a four year period and the other is regarding Title 16, CCR section 1336(a) that requires the licensee complete an average of 25 hours of CME during each calendar year. The four year time period is not defined in the regulation, which allows for a random and varied calculation of the cumulative 100 hours that is further complicated by the requirement that the licensee complete an average of 25 hours of CME per calendar year. Additionally, licensees often calculate CME hours based upon their renewal cycle and expiration date, which is established not by calendar year, but by the licensee's birth month.

Underlying Data

None.

Business Impact

This regulation will not have a significant adverse economic impact on businesses.

This initial determination is based on the following facts or evidence/documents/testimony:

The proposed regulation amendments only clarify time periods for calculating CME hours for license renewal. There are no additional costs associated with these amendments.

Specific Technologies or Equipment

This regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives

No reasonable alternative to the regulation would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.